

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 69122

Vincent a. Barrett
P. O. Box 47506
Baltimore, MD 21207

6500 Dogwood Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on November 18, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 35-6-105, 35-6-112: Respondent has not obtained a rental housing license for rental property known as 6500 Dogwood Road, 21207

On October 19, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Kathleen O'Donnell issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The following persons appeared for the Hearing and testified: Vincent A. Barrett, Respondent and, Kathleen O'Donnell, Baltimore County Code Enforcement Officer

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on September 29, 2009 requiring application by October 13, 2009.

B. This Citation was issued on October 19, 2009. Baltimore County law requires landlords to obtain a valid Rental Housing License before a residential property may be rented.

C. Inspector Kathleen O'Donnell testified that the property owner has told her he has two apartments in this building. He is working with an inspector to obtain the required inspection reports. Review of the file shows that he has filed an incomplete application. Also in the file is an email message from the licensed housing inspector Respondent has engaged, stating that Respondent is installing a required rear porch railing and will then pass the required inspection.

D. Respondent Barrett testified that he has hired an inspector and is working on obtaining required inspection reports. He will comply with the Rental Registration requirements.

E. Because compliance is the goal of code enforcement, the civil penalty will be reduced if Respondent corrects the violation within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if Respondent obtains a valid rental housing license by February 1, 2010. After that date, rental without the required license may result in additional Citations with civil penalty.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 4th day of December 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

MZF/jaf

